

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re:

Chapter 7

JAMIE ANNE STEMPFLEY,

BKY NO. 23-60129 - MER

Debtor.

**NOTICE OF HEARING AND MOTION FOR ORDER
AUTHORIZING RULE 2004 EXAMINATIONS**

NOTICE OF HEARING

1. J. Richard Stermer, the Chapter 7 Trustee (the “Trustee”) in the above-referenced bankruptcy case, gives notice of the hearing and moves the court for authorization to conduct Bankruptcy Rule 2004 examinations of the following:

- A. Jamie Anne Stempfley, Debtor, and
- B. Faith Zen Riverstone, Debtor’s mother.

2. The Court will hold a hearing on this Motion on **July 26, 2023, at 9:00 a.m.** or as soon thereafter as counsel may be heard, before the Honorable Michael E. Ridgway, U.S. Bankruptcy Court Judge, 204 Edward J. Devitt United States Courthouse and Federal Building, 118 South Mill Street, Fergus Falls, MN 56537

3. Any response to this Motion must be filed and served not later than Wednesday, July 19, 2023, which is seven days before the time set for the hearing (including Saturdays, Sundays and holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**

4. This court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334, and Federal Rule of Bankruptcy Procedure 5005, and Local Rule 1070-1. This proceeding is a

core proceeding. This case was commenced as a voluntary Chapter 7 case on April 12, 2023. This motion arises under Federal Rule of Bankruptcy Procedure 2004, and is filed under Federal Rule of Bankruptcy Procedure 9014 and Local Rules 2004-1, and 9013-1 through 9019-1.

MOTION

1. Debtor and her mother own a home together and the mother sold a vehicle that had debtor's name on the Certificate of Title.
2. Debtor owns real property located at 9001 Stanlen Road, St. Louis Park, MN 55426-0000 with her mother, Faith Zen Riverstone, which is subject to a Mortgage.
3. Debtor also provided information that her mother sold a 2019 Subaru Forester that was titled in the name of debtor and Faith Zen Riverstone. Debtor believes her mother forged her signature on the title in order to transfer this vehicle.
4. The Trustee has reviewed the Petition and Schedules, has conducted a 341 Meeting of Creditors, reviewed information provided by debtor's attorney and various public records, but still requires additional information from the Debtor and Debtor's mother regarding the real property and personal property transfer, Debtor's financial affairs, business affairs, assets, and residence.
5. The Trustee, pursuant to Local Bankruptcy Rule 2004-1 requests an Order for Examination of the Debtor, Jamie Anne Stempfley and her estranged Mother, Faith Zen Riverstone. The examinations are not for abuse or harassment..

Dated: June 20, 2023

STERMER & SELLNER, CHARTERED

/e/ J. Richard Stermer

J. Richard Stermer Atty ID # 0216811
102 Parkway Drive, P.O. Box 514
Montevideo, MN 56265

Phone: (320) 269-6491
Fax: (320) 269-5433
Email: rstermer@stermerlaw.com

VERIFICATION

I, J, Richard Stermer, the Trustee and moving party named in the foregoing notice of hearing and motion declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Dated: June 20, 2023.

/s/ J. Richard Stermer
J. Richard Stermer

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UNSWORN CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2023, I caused the following document(s):

NOTICE OF HEARING AND MOTION FOR ORDER AUTHORIZING 2004
EXAMINATIONS AND ORDER (proposed)

to be served by first class mail, postage prepaid, to each of the following parties at the address indicated below:

Jamie Anne Stempfley, Debtor
13 7th Avenue South
St. Cloud MN 56301

(and Certified Mail)
Faith Z. Riverstone
9001 Stanlen Rd
St. Louis Park, MN 55426

Dated: 6/20/2023

Signed: /s/ Jacquelyn K. Eggers
Stermer & Sellner, Chartered
P.O. Box 514
Montevideo, MN 56265
(320) 269-6491

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**ORDER AUTHORIZING RULE 2004 EXAMINATION
PURSUANT TO FED. R. BANKR. P. 2004**

This matter came before the Court on the Motion of J. Richard Stermer, Trustee, to allow him to conduct examinations pursuant to Federal Rule of Bankruptcy Procedure 2004.

Based on the files and records,

IT IS HEREBY ORDERED:

1. The Trustee, J. Richard Stermer, may examine the following:
 - a. Jamie Anne Stempfley, Debtor;
 - b. Faith Zen Riverstone, Debtor's mother.
2. The Trustee shall serve Notice of 2004 Examinations which shall state the time and place for taking the examination.

Dated:

BY THE COURT:

Michael E. Ridgway
United States Bankruptcy Judge